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GOVERNMENT GAZETTE

BOLETIM OFICIAL

GOVERNMENT OF GOA, DAMAN AND DIU

Secretariat

Planning and Development Department

Notification

CS/3297/65

The following order of Government of India, Ministry of Food and Agriculture (Department of Food) No. G. S. R. 1348 is hereby republished for the information of all concerned.

By order and in the name of the Administrator of the Union Territory of Goa, Daman and Diu.

S. P. Balasubramanian, Development Commissioner.

Panjim, 6th December, 1965.

MINISTRY OF FOOD AND AGRICULTURE

(Department of Food)

Notification

New Delhi, the 9th September, 1965
18th Bhadra, 1887

G. S. R. 1348. — In exercise of powers conferred by sub-rule (2) of rule 125 of the Defence of India Rules, 1962, the Central Government hereby makes the following Order further to amend the Sugar (Control) Order, 1963, namely: —

1. This Order may be called the Sugar (Control) Second Amendment Order, 1965.

2. In the Sugar (Control) Order, 1963, in clause 8, before the explanation, the following sub-clause shall be inserted namely: —

«(3) Any sugar taken delivery of under sub-clause (2) may be stored, distributed or sold —

(a) where such sugar has been taken delivery of by the State Govern-

ment, in such manner as the State Government deems fit;

(b) in any other case, in accordance with such directions as may be issued by the State Government or any officer or any authority empowered by the State Government in this behalf».

[No. 1(1)/63-S. Py.]

K. L. PASRICHA

Joint Secretary to Government of India

Law Department

Notification

L. D. 59/65

The following draft of the rules which are proposed to be made under section 71 of the Indian Partnership Act as extended to the Union Territory of Goa, Daman and Diu are hereby republished for information as required by sub-section 3 of the said section. The said draft would be taken into consideration after the 30th January, 1966. Any suggestions with regard to the said rules may be communicated to the Secretary, Law Department, Government of Goa, Daman and Diu, Panjim.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

Kant Desai, Under Secretary.

Panjim, 10th December, 1965.

The Goa, Daman and Diu Partnership Rules, 1933

1. **Short title.** — These rules may be called the Goa, Daman and Diu Partnership Rules, 1965.

2. In these Rules, unless there is anything repugnant in the subject or context:

(a) «The Act» means the Indian Partnership Act, 1932.

- (b) «Document» includes statements, intimations, and notices prescribed by the Act.
- (c) «Firm» means a body of persons consisting of two or more partners, to which the Act applies.
- (d) «Form» means a Form appended to these rules.
- (e) «Registrar» means a Registrar of Firms appointed under section 57 of the Act.

3. (1) All applications, documents and statements required to be filed under the Act shall be made to the Registrar within whose jurisdiction the firm is carrying on business and when it is carrying on business within the jurisdiction of more than one Registrar, to the Registrar within whose jurisdiction its principal place of business is situated.

(2) Notice of change of the principal place of business shall be given to the Registrar with whom the firm is registered, even if the new principal place of business is within the jurisdiction of another Registrar. In every such case the first mentioned Registrar shall make an entry to that effect in Register of firms and the index thereto, and transmit the records to the Registrar within whose jurisdiction the new principal place of business is situated.

4. Form and Verification of statements under sections 58 and 60. — The documents required to be filed with the Registrar under section 58(1) and 60 shall be deemed to be duly verified if they are signed and certified by all the partners or by a specially authorised agent on behalf of a partner declaring the statement made therein to be true to his knowledge and belief in the presence of at least one witness who shall attest the signatures by signing his name, provided that when a document is verified by a specially authorised agent, the original power of attorney or an express letter of authority from the partner concerned shall be produced for the inspection of the Registrar to prove authentication.

5. Form of Register of firms statements under sections 58 and 60, notices under sections 61, 62 and 63 and index to Register of Firms. — (1) The «Register of Firms» to be maintained by the Registrar under section 59 of the Act shall be in Form I.

(2) The statement required under section 58 of the Act, for the registration of a firm shall be in Form II.

(3) The statement under section 60 of the Act, relating to changes in the Firm's name and the principal place of business, shall be in Form III.

(4) The notice under section 61 of the Act of closing and opening of branches shall be in Form IV.

(5) The notice under section 62 of the Act of changes in the names and addresses of partners shall be in Form V.

(6) The notice of alteration in the constitution of a firm and dissolution of a firm, under section 63(I) of the Act, shall be in Forms VI and VII respectively.

(7) The notice of withdrawal from, or remaining in a partnership to be given under section 63(2) of the Act by a minor on attaining majority shall be in Form VIII.

(8) An Index to the Register of Firms shall be maintained by the Registrar in Form IX.

6. Examination of Documents received by the Registrar. — On receipt of every statement, intimation, notice or any other document prescribed by the Act to be filed or Registered in his office, the Registrar shall examine, it, and if it is found to be defective or incomplete in any of the particulars required to be given therein, or not verified in the prescribed manner or in any way not in accordance with the provisions of the Act or these rules, he shall return it to the person applying for filing or recording or to the firm concerned; and until proper rectification or completion be made, he shall not register or file the document in question nor shall he file or register the same unless and until the prescribed fees are paid to and received by him. The Registrar shall, pending the receipt of such fees, act in the same way as if no such document has been tendered for filing or recording or registration.

7. Acknowledgement by the Registrar. — The Registrar may acknowledge the receipt or filing of any document after necessary entries have been made in the Register of Firms.

8. Enquiries and investigations by the Registrar in case of disputes. — The Registrar may in his discretion institute such enquiries or make such investigation in respect of any matter as may in his opinion be necessary for the proper performance of his duties and administration of the Act, especially when a dispute arises amongst the several partners of a firm. The Registrar may in his discretion call upon any of the partners or all of them to produce any original deed, document or such other evidence as he thinks fit.

9. Office of the Registrar and Business hours. — The office of the Registrar shall be situated in the towns of Panjim, Mapuça, Margao, Quepem, Bicholim and Daman, in the office of the respective sub-registrars of assurances or Conservadores of Predial of the said places and at Diu in the office of the Assistant Public Prosecutor; and shall be open for business (Sundays and authorised holidays excepted) between the hours of 11 a.m. and 4.30 p.m. excepting Saturdays, when the office shall remain open for business till 1.10 p.m.

10. Inspection of Registers of firms and documents and copies of entries. — (1) Any person may inspect the documents and the «Register of Firms» kept by the Registrar on payment of fifty paise for the inspection of all documents relating to one firm:

Provided that he shall not have the right, while so inspecting to take copies or extracts from any of the documents or the Register.

(2) Any person may inspect the particulars of any firm in the Register of Firms kept by the Registrar on payment of fifty paise in respect of each volume of the registers inspected.

Provided that he shall not have the right, while so inspecting to take copies or extracts from any of the document or the Register.

(3) Any person shall, on application to the Registrar be supplied on plain paper with a certified copy or extract of any of the documents or any of the entries or portion thereof in the «Register of Firms» on payment of twenty five paise for each hundred words or part thereof.

11. Destruction of documents. — (1) No document filed in the office of the Registrar of Firms, under the Indian Partnership Act, 1932 shall be destroyed without the previous order of the Registrar in that behalf.

(2) The Registrar may order the destruction of any such document at the expiration of five years after the date of dissolution of the firm in respect of which such document was filed in his offices:

Provided that the Registrar shall give three months previous notice of such destructions by Notification in the Goa, Daman and Diu Gazette.

(3) After the expiration of the said three months, the Registrar shall, unless sufficient reason be shown to the contrary, cause all the documents of each firm named in the said notice to be destroyed, and shall record the fact of such destruction in the book kept for such purpose.

12. Fees payable to the registrar of firms. — The fees payable to the Registrar under the Act shall be as follows:

Document or act in respect of which the fee is payable	Maximum fee
1. Statement under sec. 58	Three rupees
2. Statement under sec. 60	One rupee
3. Intimation under sec. 61	One rupee
4. Intimation under sec. 62	One rupee
5. Notice under sec. 63	One rupee
6. Application under sec. 64	One rupee
7. Inspection of the Register of Firms under sub-sec. (1) of Section 66.	Fifty paise for inspecting one volume of the Register.
8. Inspection of documents relating to a firm under sub-sec.(2) of Section 66.	Fifty paise for the inspection of all documents relating to one firm.
9. Copies from the Register of firms.	Twenty five paise for each hundred words or part thereof.

FORM No. I

Register of Firms

The Indian Partnership Act, 1932

[See section 59 and Rule 5(1)]

Number of the firm on the Register. Important notes.
 Name of the firm.
 Date of establishment.
 Duration or date of registration.
 Date of dissolution.
 How dissolved.

Serial number of document.	Date of filing or Registration.	Description of documents filed.	Names and addresses of the partners and the date of joining or changes therein					Place of business of the firm			Remarks.	Signature of Registrar.
			Name	Address (Permanent)	Date of joining.	Date of changes.	Principal place.	Other place.	Date of closing or opening.	Recording of changes of constitution of dissolution and also of withdrawal of minor partners.		

FORM No. II

Statement required for Registration of a Firm

The Indian Partnership Act, 1932

[See Section 58 and Rule 5(2)]

Filing Fee Rs. 3/-

To, The Registrar of Firms.

We the undersigned partners of the firm ... do hereby submit the following statement, prescribed under section 58 of the Indian Partnership Act, 1932, for the purpose of registration of the said firm under section 59 of the Act.

- A. — The name of the firm;
 B. — The duration of the firm (with date of establishment):
 C. — The principal place of business, with full address:
 D. — The name of any other places where the firm carries on business with full address:

- 1.
- 2.
- 3.

- E. — The names in full and permanent addresses of all the partners, and the date when each partner joined the firm: —

Names in full of partners	Permanent addresses	Dates of joining	Remarks
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Verification

We, the partners of the firm ... do hereby declare that the foregoing statements are true to the best of our knowledge and belief.

Witness or Witnesses attesting the signature. Signature of all the partners of the firm.

FORM No. III

Notice of alteration in the name of the firm or in the location of the principal place of business thereof

The Indian Partnership Act, 1932

[See Section 60 and Rule 5(3)]

Filing Fee Re. 1/-

To, The Registrar of Firms.

Notice is hereby given, pursuant to section 60 of the Indian Partnership Act, 1932 of the following alteration in the name, location of the principal place of business * of the firm.

Date of alteration	Name of firm		Principal place of business	
	Former name	Present name	Former address	Present address

* Strike out the portion which does not apply.

Witness or Witnesses attesting the signature. Signature of all the partners of the firm.

Verification

We, the partners of the firm ... do hereby declare that the foregoing statements are true to the best of our knowledge and belief.

Witness or Witnesses attesting the signature. Signature of all the partners of the firm.

FORM No. IV

Notice of closing and opening of places of business
(other than the principal place of business)

The Indian Partnership Act, 1932

[See Section 61 and Rule 5(4)]

Filing Fee Re. 1/-

To, The Registrar of Firms.

Notice is hereby given, pursuant to section 61 of the Indian Partnership Act, 1932, of the closing/opening of the following places of business of the firm.

(other than principal place of business)

Place of business closed	Date of closing	Place of business opened	Date of opening	Remarks
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Date.

Signature of any partner or agent of the firm.

FORM No. V

Notice of changes in the names and addresses of the partners of firm

The Indian Partnership Act, 1932

[See Section 62 and Rule 5(5)]

Filing Fee Re. 1/-

To, The Registrar of Firms.

Notice is hereby given, pursuant to section 62 of the Indian Partnership Act, 1932 of changes in the names and addresses of the partners of the firm.

Former name and address	Present name and address	Remarks
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Signature of any partner or agent of the firm.

FORM No. VI

Intimation for recording of changes of the constitution of a firm

The Indian Partnership Act, 1932

[See Section 63(1) and Rule 5(6)]

Filing Fee Re. 1/-

To, The Registrar of Firms.

Notice is hereby given, pursuant to sub-section (1) 63 of the Indian Partnership Act, 1932 of the following changes in the constitution of the firms.

Previous constitution of firm		Present constitution of firm		Remarks
Names of Partners	Permanent address	Names of Partners	Permanent address	

Signature of any partner or his agent

FORM NO. VII.

Intimation for recording dissolution of a firm

The Indian Partnership Act, 1932

[See Section 63(1) and Rule 5(6)]

Filing Fee Re. 1/-

To, The Registrar of Firms.

Notice is hereby given, pursuant to sub-section (1) of section 63 of the Indian Partnership Act, 1932, that the firm ... was dissolved on ... 19...

Signature of any partner or his agent

FORM No. VIII

Notice of withdrawal from, or remaining in, a partnership to be given under section 63(2) of the Act by a minor on attaining of majority

The Indian Partnership Act, 1932

[See Section 63(2) and Rule 5(7)]

Filing Fee Re. 1/-

To, The Registrar of Firms.

Notice is hereby given, pursuant to sub-section (2) of section 63 of the Indian Partnership Act, 1932 that /the undersigned a minor who was admitted to the benefits of partnership in the firm has now attained majority and elects to become/not to become a partner of the said firm.

Signature of the partner concerned or his specially authorised agent

FORM No. IX

Index to the Register of Firms

The Indian Partnership Act, 1932

[See Rule 4(8)]

Name of firm	Date of registration	Number of firm in the Register	Volume of Register and Folio
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